

Remarks/Arguments

Upon entry of the accompanying amendments, claims 6-15 will be pending in this application. Claims 6-13 are rejected in the Office Action dated April 18, 2007. Claims 14-15 are newly added herein.

Re: Claims 6-13

Claims 6-13 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2003/0208756 by Macrae, et al. (hereinafter, "Macrae"). Applicants respectfully traverse this rejection because Macrae fails to teach or suggest all elements of the claimed invention.

Applicants first note that independent claims 6 and 10 recite:

“receiving a plurality of advertisements;
storing said received advertisements;
enabling a user to access said electronic program guide;
determining whether a first type of advertisement exists in said stored advertisements, said first type of advertisement being displayable in response to user navigation within said electronic program guide;
enabling display of a second type of advertisement **if said first type of advertisement does not exist in said stored advertisements**, said second type of advertisement being displayable independently of user navigation within said electronic program guide; and
enabling display of said first type of advertisement in response to detecting user navigation within said electronic program guide **if said first type of advertisement exists in said stored advertisements**.”
(emphasis added; see claim 6), and

“first means for receiving and storing a plurality of advertisements;
second means for enabling a user to access said electronic program guide;
said second means **determining whether a first type of advertisement exists in said stored advertisements**, said first type of advertisement being displayable in response to user navigation within said electronic program guide;
said second means enabling display of a second type of advertisement **if said first type of advertisement does not exist in said stored advertisements**, said second type of advertisement being displayable independently of user navigation within said electronic program guide; and

said second means enabling display of said first type of advertisement in response to detecting user navigation within said electronic program guide **if said first type of advertisement exists in said stored advertisements.**" (emphasis added; see claim 10)

As indicated above, independent claims 6 and 10 respectively define a method and system for providing two different types of advertisements in an electronic program guide. The first type of advertisement is displayable in response to user navigation within the electronic program guide and the second type of advertisement is displayable independently of user navigation within the electronic program guide. According to the claimed invention, a determination is made as to whether the first type of advertisement exists in stored advertisements. The first type of advertisement is displayed in response to detecting user navigation within the electronic program guide if the first type of advertisement exists in the stored advertisements. Alternatively, the second type of advertisement is displayed if the first type of advertisement does not exist in the stored advertisements. In this manner, the claimed invention is capable of coordinating the use of the two different types of advertisements by adaptively displaying either the first type of advertisement or the second type of advertisement based on the determination.

Macrae fails to teach or suggest the inventions defined by independent claims 6 and 10. In formulating the instant rejection, the Examiner relies on paragraph [0328] of Macrae for allegedly teaching the claimed "first type of advertisement" and paragraph [0249] of Macrae for allegedly teaching the claimed "second type of advertisement." While paragraph [0328] of Macrae generally discloses an electronic program guide that displays different advertisements depending upon which show is currently highlighted in the guide, and paragraph [0249] generally discloses the use of placeholder ads which appear each time a television is set up (or after a power outage), there is absolutely no teaching or suggestion of how to coordinate the use of the two different types of advertisements. In other words, the two cited paragraphs of Macrae ostensibly refer to two different and independent embodiments that are not necessarily related in any manner. As such, Macrae fails to teach or suggest, *inter alia*, "determining whether a first type of advertisement exists in said stored advertisements ... enabling display of a second type of advertisement if said first type of advertisement does not exist in said

stored advertisements [and] enabling display of said first type of advertisement in response to detecting user navigation within said electronic program guide if said first type of advertisement exists in said stored advertisements." Accordingly, in view of the foregoing clarification, claims 6-13 are deemed allowable over Macrae and withdrawal of the rejection is respectfully requested.

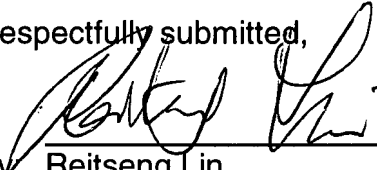
Newly Added Claims 14-15

Claims 14-15 are newly added herein to further define the present invention, and are deemed allowable for at least the same reasons as their respective independent claims.

Conclusion

Having fully addressed the Examiner's objections and rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,


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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

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